

CUSTOMER NO.: 24498
Serial No. 10/757,626
Reply to Restriction Requirement
Response dated: 2/13/08

PATENT
PU030211

REMARKS

The Examiner noted that claims 21-40 are pending in the application and that claims 21-40 are subject to a restriction requirement. The Examiner alleges that Claims 21-23 and 28-33 are drawn to a first invention, Claims 24-27 and 34-36 are drawn to a second invention and that Claims 37-40 are linking claims.

In response to the restriction requirement, the Applicant has made an election to a first invention in accordance with the inventions outlined by the Examiner, which the Examiner alleges reads on claims 21-23 and 28-33.

Restriction Requirement

The Applicant respectfully traverses the Examiner's restriction requirement. As such, the Applicant respectfully requests reconsideration of the restriction requirement and requests that the restriction requirement be withdrawn for at least the following reasons:

1. The Applicant respectfully submits that all of the Applicant's claims 21-40 are directed to methods and apparatuses for communicating and determining stop and pause commands in a video recording playback system. That is, the Applicant submits that all claims are dedicated to the identification of a stop and pause command for fulfilling a selected trick mode. As such, the Applicant submits that all claims 21-40 have the same ultimate effect and belong to a single inventive concept.

2. The Applicant further respectfully submits that if the Examiner continues to find that claims 21-40 are drawn to two different inventions (although the Applicant does not concede), the search and examination of the entire Application can still be made "without serious burden to the Examiner." (See MPEP § 803).

To the extent this restriction requirement is maintained by the Examiner, the Applicant reserves the right to subsequently file divisional applications in order to prosecute the inventions recited in any one or more of the non-elected groups of claims and Species.

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As such and because of the above traversal, the Applicant respectfully submits that the Right of Petition under 37 CFR 1.144 has been preserved.

Conclusion

If the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion, it is respectfully requested that the Examiner telephone the undersigned.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account No. 07-0832.

Respectfully submitted,
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